

REMARKS/ARGUMENTS

The Examiner states that the inventions of Groups I and II are related as process of making and product made under M.P.E.P. § 806.05(f) and that the product can be made by a materially different method, i.e. the resin added could be cross-linked prior to mixing with the dispersion and the carbides could be carbonized prior to being added to the dispersion.

However, the Examiner has given no reason to support the proposition that the process claims could be modified in the ways suggested by the Examiner and still produce the product of the claims of Group II, a protective coating containing a metallic compound comprising hafnium boride and silicon carbide.

Therefore, it is submitted that the requirements of M.P.E.P. § 806.05(f) have not been met and it is requested that the claims of Groups I and II be rejoined and examined in the present application.

Further, Applicants traverse the Restriction Requirement on the grounds that thousands of U.S. patents have been issued in which many more than two subclasses have been searched and the Patent and Trademark Office cannot reasonably assert that a burden exists in searching only two subclasses.

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



Roland E. Martin  
Registration No. 48,082